

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

James A. Burk, Jr., et al.	:	
	:	
Plaintiffs,	:	Civil Action No. 2:20-cv-6256
	:	
v.	:	Judge Graham
	:	
City of Columbus, et al.,	:	Magistrate Judge Vascura
	:	
Defendants.	:	

PLAINTIFFS' FIRST SUPPLEMENT TO EXHIBIT AND WITNESS LISTS

Plaintiffs respectfully give notice to Defendants and the Court that they are supplementing their lists of potential trial exhibits and witnesses as follows:

Additional Potential Exhibits

PL. EX.	DESCRIPTION
3.	CPD Sgt. Tolman Body Worn Camera Video 07.07.2020 – 2;34;36 PM (introduced during Sara Al-Maliki’s trial deposition)
4.	Photograph of James Burk and Summer Hilfers canoeing (P002405)
5.	Photograph of James Burk and Summer Hilfers near hammock (P002406)
6.	Photograph of James Burk and Summer Hilfers hiking (P002407)

Additional Potential Witnesses

Plaintiffs give notice that they may call Roland Herndon, SAC (Retired), Bureau of Alcohol, Tobacco, and Firearms. If called, Mr. Herndon is expected to testify about the content of and reasons behind his letter of support of Agent Burk produced as part of ATF's document production, as well as information related to the incident at issue in this case and Mr. Burk's employment. As Plaintiffs argue in their motion in limine, evidence of ATF's vacated action to terminate Mr. Burk is not admissible considering ATF's self-reversal of that action. (*See* ECF No. 121 at PageID ## 3620–3624.) Should the Court allow Defendants to introduce this evidence over Plaintiffs' objection, Plaintiffs reserve the right to call Roland Herndon.

Respectfully submitted,

/s/ Barton R. Keyes

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Notice of Supplementing Exhibit and Witness Lists was filed electronically and served electronically on the following counsel of record, this 28th day of October, 2024:

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